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DEPARTMENT OF ENERGY  
FEDERAL ENERGY REGULATORY COMMISSION

Yuba County Water Agency

Project No. 2246-074

NOTICE OF APPLICATION ACCEPTED FOR FILING, SOLICITING COMMENTS,  
MOTIONS TO INTERVENE, AND PROTESTS

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Type of Application: Application for Temporary Variance of Minimum Flow Requirement
- b. Project No.: 2246-074
- c. Date Filed: October 30, 2015
- d. Applicant: Yuba County Water Agency (licensee)
- e. Name of Project: Yuba River Project
- f. Location: North Yuba River, Middle Yuba River, and Oregon Creek in Yuba, Nevada, and Sierra counties, CA
- g. Filed Pursuant to: Federal Power Act, 16 USC 791(a)-825(r).
- h. Applicant Contact: Mr. Curt Aikens, General Manager, Yuba County Water Agency, 1200 F Street, Marysville, CA 95901-4740, (530) 741-5015
- i. FERC Contact: Mr. John Aedo, (415) 369-3335, or [john.aedo@ferc.gov](mailto:john.aedo@ferc.gov)
- j. Deadline for filing comments, motions to intervene, protests, and recommendations is **December 7, 2015**. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact

FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Please include the project number (**P-2246-074**) on any comments, motions to intervene, protests, or recommendations filed.

k. Description of Request: The licensee requests a temporary variance of the minimum flow requirements in the lower Yuba River below Englebright Dam from December 1, 2015 through March 31, 2016, due to low reservoir storage and dry watershed conditions. License Article 33 requires that the licensee provide a minimum flow of: 600 cubic feet per second (cfs) from October 16 through December 31; 1,000 cfs from January 1-15; and 600 cfs from January 16 through March 31. In order to conserve water resources during the current drought, the licensee proposes to instead, release 550 cfs from December 1, 2015 through March 31, 2016. In addition, the licensee requests that the minimum flow compliance criteria during this period be based on a 5-day running average of average daily streamflows, with instantaneous flows never less than 90 percent of the specified 550 cfs minimum flow and never less than 550 cfs for more than 48 hours.

l. Locations of the Application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as

applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the license surrender. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

DATED: November 5, 2015

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

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